REMARKS

INTRODUCTION

Claims 1-15 were previously pending and under consideration.

Claims 5 and 6 are cancelled herein.

Therefore, claims 1-4 and 7-15 are now pending and under consideration.

Claims 1-15 are rejected.

Claims 13 and 14 are objected to.

Claims 1, 2, 3, and 8-15 are amended herein.

No new matter is being presented, and approval and entry are respectfully requested.

ENTRY OF AMENDMENT UNDER 37 CFR §1.116

Applicant requests entry of this Rule 116 Response because:

(a) it is believed that the amendment of the claims puts this application into condition for allowance;

(b) the amendments were not earlier presented because the Applicant believed in good faith that the cited prior art did not disclose the present invention as previously claimed;

(c) the amendments of the claims should not entail any further search by the Examiner since no new features are being added or no new issues are being raised; and

(d) the amendments do not significantly alter the scope of the claims and place the application at least into a better form for purposes of appeal. No new features or new issues are being raised.

The Manual of Patent Examining Procedures sets forth in Section 714.12 that "any amendment that would place the case either in condition for allowance or in better form for appeal may be entered." Moreover, Section 714.13 sets forth that "the Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining

Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

CLAIM OBJECTIONS

Claim 13 recites "the other mobile telephony devices". There is insufficient antecedent basis for this limitation in the claim.

Claim 14 recites "the mobile telephony devices" and "the respective update". There is insufficient antecedent basis for this limitation in the claim.

REJECTIONS UNDER 35 USC § 112, SECOND PARAGRAPH

In the Office Action, at pages 2-3, claims 1, 14 and 15 were rejected under 35 U.S.C. § 112, second paragraph, for the reasons set forth therein. Appropriate corrections have been made. Withdrawal of the rejection is respectfully requested.

REJECTIONS UNDER 35 USC §§ 102 AND 103

Claims 1-5, 7, 8 and 10-15 were rejected under 35 U.S.C. § 102 as anticipated by Keiko. Claim 9 was rejected under 35 U.S.C. § 103 as being obvious over Keiko in view of Lautenschlager.

The rejection of the features of claim 6 under 35 U.S.C. § 103 as being obvious over Keiko in view of Kyu is traversed below, and reconsideration is requested.

KYU'S EXTERNAL EDITING OF SCHEDULE TABLE DIFFERENT FROM ALLOWING REGISTRANT TO SPECIFY/CONTROL TIME/TIMING OF A CHANGE

Amended claims 1, 2, 12, and 13 recite features related to allowing a registrant/owner of a directory to approve updating/changing of their directory before it occurs, and to specify a time (or control a timing) of performing the modification/update.

The reliance on Kyu is improper because, as stated in MPEP § 706.01 (part II), "Citation

of and reliance upon an abstract without citation of and reliance upon the underlying scientific document is generally inappropriate where both the abstract and the underlying document are prior art." Furhtermore (emphasis added):

> To determine whether both the abstract and the underlying document are prior art, a copy of the underlying document must be obtained and analyzed. If the document is in a language other than English and the examiner seeks to rely on that document, [1] a translation must be obtained so that the record is clear as to the precise facts the examiner is relying upon in support of the rejection. [2] The record must also be clear as to whether the examiner is relying upon the abstract or the full text document to support a rejection. The rationale for this is several-fold ... the full text document [may] include teachings away from the invention that will preclude an obviousness rejection under 35 U.S.C. 103, when the abstract alone appears to support the rejection. An abstract can have a different effective publication date than the full text document. Because all patentability determinations are fact dependent, obtaining and considering full text documents at the earliest practicable time in the examination process will yield the fullest available set of facts upon which to determine patentability, thereby improving quality and reducing pendency.

It is respectfully submitted that neither of the two requirements mentioned above have been met. That is, the Office has not obtained and/or made available a translation of the Kyu reference. Nor has the Office clearly indicated whether the abstract or the full document is being relied upon. To emphasize the necessity of this requirement, Applicant provides the following translation of paragraphs [0005] and [0014] of Kyu, which teach away from a conclusion of obviousness:

> [0005] Further, problems to be solved by this invention are to make it possible to transfer to and store in a radio calling device a schedule table being stored in a computer and, in addition, to allow a radio calling device to make a call at specified time with an internal timer (day, time, and second) and display a message.
>
> ...
>
> [0014] As shown in figure 4, in processing a

> schedule table according to this invention, the radio calling device first detects the current date and time, and then determines whether the current date and time agree with a specified time of the schedule. When yes, the radio calling device reads correlated data from the schedule table, displays the data on a display and produces a warning sound, and waits for users confirmation. After the user makes confirmation, data is displayed.

As described in paragraph [0005], a schedule table in Kyu is used by an external editing device to make a call at a specified time and display a message. Kyu states that a problem to be solved is to allow a schedule table external editing device to make a call at a specified time with an internal timer (day, time, and second) and display a message. This is substantially different from permitting a registrant to specify a time (or control the timing of) a change.

In view of the above, the features of claim 6 (now recited in different forms in claims 1, 2, 12, and 13) are not obvious over the Keiko-Kyu combination because Kyu does not disclose the recited features. Keiko was not cited for and does not disclose or suggest the features.

DEPENDENT CLAIMS

The dependent claims are deemed patentable due at least to their dependence from allowable independent claims. These claims are also patentable due to their recitation of independently distinguishing features. For example, claim 9 recites changing the telephone number in the telephone directory information of the number changer to a new telephone number in response to the telephone number change notification instruction from the portable telephone service provider. This feature is not taught or suggested by the prior art. Withdrawal of the rejection of the dependent claims is respectfully requested.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 2 Sep 2004

By: James T. Strom
James T. Strom
Registration No. 48,702

1201 New York Ave, N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

CERTIFICATE OF FACSIMILE TRANSMISSION
I hereby certify that this correspondence is being transmitted via facsimile to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
on September 2, 2004
STAAS & HALSEY
By: [signature]
Date: September 2, 2004